

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Utah

Jess Collins, individually and on behalf of all others
similarly situated,

Plaintiff(s)

v.

The Economist Newspaper NA, Inc.,

Defendant(s)

Civil Action No. 2:23-cv-878-HCN-DAO

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* THE ECONOMIST NEWSPAPER, NA, INCORPORATED

c/o Its Registered Agent:

THE CORPORATION TRUST COMPANY
CORPORATION TRUST CENTER 1209 ORANGE ST
WILMINGTON, DELAWARE 19801
TELEPHONE: (302) 658-7581

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

David W. Scofield, Peters | Scofield, PC, dws@psplawyers.com
7430 Creek Road, Suite 303, Sandy, Utah 84093, (801) 322-2002

-and-

Frank S. Hedin, fhedin@hedinhall.com and Arun Ravindran,
aravindran@hedinhall.com
Hedin Hall LLP, 1395 Brickell Avenue, Ste. 1140, Miami, FL (305) 357-2107

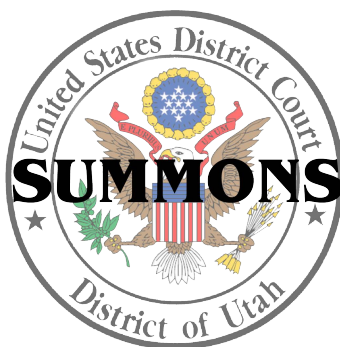
If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Gary P Serdar
CLERK OF COURT

Stephanie Garcia

Signature of Clerk or Deputy Clerk

Date: 1/02/2024



Civil Action No. 2:23-cv-878-HCN-DAO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

' I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

' I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

' I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

' I returned the summons unexecuted because _____; or

' Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Jess Collins

Plaintiff

v.

The Economist Newspaper NA, Inc.

Defendant

Civil Action No. 2:23-cv-00878-HCN-DAO

WAIVER OF THE SERVICE OF SUMMONS

To: David W. Scofield

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from January 30, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: Jan. 30, 2024

The Economist Newspaper NA, Inc.

Printed name of party waiving service of summons



Signature of the attorney or unrepresented party

Milo Steven Marsden

Printed name

111South Main Street, Suite 2100, SLC, UT 84111

Address

marsden.steve@dorsey.com

E-mail address

801-933-7360

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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